

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|------------------------|---|--------------|
| FIREMAN'S FUND, |) | |
| |) | |
| Plaintiff, |) | 8:03CV341 |
| |) | |
| v. |) | |
| |) | |
| STRUCTURAL SYSTEMS |) | ORDER |
| TECHNOLOGY, INC., |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |
| |) | |
| STRUCTURAL SYSTEMS |) | |
| TECHNOLOGY, INC., |) | 8:04CV194 |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | |
| |) | ORDER |
| NATIONAL FIRE & MARINE |) | |
| INSURANCE CO., et al. |) | |
| |) | |
| Defendants. |) | |

This matter is before the court on its own motion. In view of the resolution of *Duhamel Broadcasting v. Structural Systems, Inc*, No. 8:03CV47 at Filing No. 68, the court requests briefing on the issue of the respective rights and liabilities of the parties under the contracts of insurance at issue in these consolidated actions. The court finds these declaratory judgment actions involve issues that can now be resolved as a matter of law. Accordingly,

IT IS HEREBY ORDERED that:

1. The parties are directed to file and serve briefs in support of their respective positions on or before **July 11, 2005**.

2. The parties are granted ten days thereafter to respond thereto, at which time these actions will be deemed submitted.
3. In light of this order, the June 20, 2005, planning conferences previously scheduled in these cases are canceled.

DATED this 8th day of June, 2005.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge